

**AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) Enhanced-surface-area spinal fusion apparatus adapted for use between an upper vertebral body having an inferior vertebral endplate and a lower vertebral body having a superior endplate, the distance between the endplates defining at least one intervertebral spacing, the device comprising:

a biocompatible fusion device having a height which is greater than the intervertebral spacing such that when implanted, at least a portion of the device penetrates into one or both of the upper and lower vertebral bodies; ~~and~~

a fastener configured to extend through the device and the vertebral body into which the fusion device extends; and

a guide for drilling and installation of the fastener.

2. (Original) The apparatus of claim 1, wherein the fusion device includes an aperture adapted to receive the fastener.

3. (Currently Amended) The apparatus of claim 1, wherein the fastener is threaded ~~treaded~~.

4. (Cancelled)

5. (Original) The apparatus of claim 4, wherein the guide is mountable on the fusion device.

6. (Cancelled)

7. (Currently Amended) A method of promoting the fusion between upper and lower vertebra, each vertebra having a body between superior and inferior endplates, the method comprising the steps of:

removing a section of the upper vertebra, the lower vertebra, or both vertebra, including a portion of its respective endplate;

installing ~~the~~ a fusion device between the vertebra so as to substantially consume the removed sections; and

installing a fastener ~~through the through the fusion device and each~~ into at least one of the vertebra such that the fastener extends into ~~which~~ the fusion device ~~extends~~.

8. (Original) The method of claim 7, further including the steps of:

temporarily installing an alignment guide; and

installing the fastener using the guide.

9. (Currently Amended) The method of claim 8, ~~wherein~~ further including the step of mounting the alignment guide is mounted on the fusion device.

10. (Currently amended) The method of claim 8, ~~wherein~~ further including the step of using the alignment guide is used for drilling and orienting the fastener.

11. (New) The method of claim 7, wherein the fastener is installed laterally into a vertebra and the device.

12. (New) Enhanced-surface-area spinal fusion apparatus adapted for use between an upper vertebral body having an inferior vertebral endplate and a lower vertebral body having a superior endplate, the distance between the endplates defining at least one intervertebral spacing, the device comprising:

a biocompatible fusion device having a lateral surface and a height which is greater than the intervertebral spacing such that when implanted, at least a portion of the device penetrates into one or both of the upper and lower vertebral bodies; and

a fastener configured to extend through at least a portion of at least one of the vertebral bodies and into the lateral surface of the fusion device.

13. (New) The apparatus of claim 12, wherein the lateral surface of the fusion device includes an aperture adapted to receive the fastener.

14. (New) The apparatus of claim 12, wherein the fastener is threaded.

15. (New) The apparatus of claim 12, further including a guide for the insertion of the fastener.

16. (New) The apparatus of claim 15, wherein the guide is mountable on the fusion device.

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17. (New) The apparatus of claim 15, wherein guide may be used for drilling and installation of the fastener.